

1 Garrick S. Lew (SBN 61889)
1000 Brannan Street, Suite 288
2 San Francisco, CA 94103
(415) 575-3588
3 (415) 522-1506 [fax]
gsl@defendergroup.com

Counsel for Defendant PAUL CHIANG

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,) No. CR 12-00463 LHK
12 Plaintiff,)
13 vs.) **STIPULATION TO CONTINUE
CHANGE OF PLEA and
[Proposed] ORDER**
14 PAUL CHIANG,) Date: January 30, 2013
15 Defendant.) Time: 9:00 a.m.
) Court: Honorable Lucy Koh

17 Defendant PAUL CHIANG is scheduled to appear in the above-captioned matter for a
18 Change of Plea hearing on January 30, 2013, at 9:00 a.m.

19 As discussed at the last status conference on December 12, 2012, defendant has
20 undergone an expert evaluation, in part to examine his mental state at the time he committed the
21 instant offense. Defense counsel obtained a final report from the expert last Thursday, January
22 24, 2013, and thereafter provided it to counsel for the government. Counsel require additional
23 time to review the results of the evaluation and conduct any necessary additional investigation
24 into issues raised by those results.

25 In addition, although a preliminary plea agreement has been exchanged, the parties have
26 not yet reached a final agreement regarding resolution of this case in light of the expert report.

1 Accordingly, the parties are not prepared to proceed with the change of plea hearing at this time,
2 and stipulate to and request a continuance to February 20, 2013 to allow additional time to
3 resolve this matter.

4 The parties further stipulate that the time from December 12, 2012 through February 20,
5 2013, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C.
6 §§ 3161(h)(7)(A) on the basis that the ends of justice are served by taking such action, which
7 outweigh the best interest of the public and the defendant in a speedy trial, and also
8 under subsection (B)(iv) for effective preparation of counsel, taking into account the exercise of
9 due diligence.

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11 DATED: January 28, 2013

/s/ Michelle Kane
Michelle Kane
Assistant United States Attorney



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13 DATED: January 28, 2013

GARRICK LEW
Counsel for Defendant CHIANG

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[Proposed] ORDER

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GOOD CAUSE APPEARING, and pursuant to the stipulation of the government and
defendant PAUL CHIANG,

IT IS HEREBY ORDERED that the Change of Plea hearing, currently scheduled for

January 30, 2013 at 9:00 a.m. before the Honorable Lucy H. Koh, is VACATED and RESET to
February 20, 2013 at 9:00 a.m.

IT IS FURTHER ORDERED that the time from December 12, 2012 through February

20, 2013, shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C.

1 §§ 3161(h)(7)(A) and (B)(iv) for adequate preparation of counsel. The Court finds that the ends
2 of justice served by granting the continuance outweigh the best interests of the public and the
3 defendant in a speedy and public trial, and the failure to grant the requested continuance would
4 deny reasonable time necessary for effective preparation of counsel.

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6 DATED: 1/29/13



7 Honorable Lucy H. Koh
8 United States District Judge

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